

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

THOMAS BURKE, RICHARD DANITZ, ROBERT J.
KULCZYK, JAMES M. KILGER, BRUCE HOFFMAN,
GEORGE FERRARO, JAMES BIDDLE, SR., JOHN
O'HARE, JR., as TRUSTEES on behalf of the
Buffalo Carpenters Pension Fund, and the
BUFFALO CARPENTERS PENSION FUND,

Plaintiffs,

ORDER
08-CV-161S

vs.

LIGHTHART SALES, INC.,

Defendant.

The Summons and Complaint having been duly served upon the Defendants on March 5, 2008 (Docket No. 2); and the time for Defendant to appear, answer or move against the Complaint having expired; and the Clerk of the Court having entered default on May 16, 2008 (Docket No. 5); and Plaintiffs having filed a motion for entry of default judgment on May 30, 2008 (Docket No. 6); it is hereby;

ORDERED, ADJUDGED and DECREED that Plaintiffs' Motion for Default Judgment (Docket No. 6) is GRANTED.

FURTHER, that the Plaintiffs, **the TRUSTEES OF THE BUFFALO CARPENTERS PENSION FUND** and the **BUFFALO CARPENTERS PENSION FUND**, 1159 Maryvale Drive, Suite 20, Cheektowaga, NY 14225, recover from the Defendant **LIGHTHART SALES, INC.**, 298 Ruskin Road, Amherst, New York, the sum of \$40,649, together with liquidated damages pursuant to 29 U.S.C. §1132 (g)(2)(C)(i) of \$8,129.80, together with costs and disbursements in the amount of \$435.00, together with an amount of attorney's fees of \$810.00,

for a total amount of **\$50,020.80**, plus \$8.07 in interest for each day from May 13, 2008 to the date of this judgment and post-judgment interest as provided by law.

FURTHER, that the Clerk of the Court is directed to enter Judgment in Plaintiffs favor against Defendant consistent with this Order.

FURTHER, that the Clerk of the Court is directed to close this case.

SO ORDERED.

DATED: February 14, 2009
Buffalo, NY

/s/William M. Skretny
WILLIAM M. SKRETNY
United States District Judge